BILL NO. G-73-06-26

GENERAL ORDINANCE NO. G-16-73

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a street, petitioned by property owners.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street by Maumee Valley Corporation having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on June 18, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

> That portion of Jefferds Avenue, in Lincoln Highway Park Addition to the City of Fort Wayne, Indiana, beginning on the west line of Fairview Avenue, in said City, at the southeast corner of Lot 132 in said Addition; thence west along the south line of said Lot 132, and continuing west along the south line of the vacated alley between Lot 132 and Lot 155 in said Addition, and further continuing west along the south line of said Lot 155 to the northeasterly right-of-way line of the public highway known as U.S. #24 and #30; thence southeasterly along said right-of-way line to the north line of Lot 66 in said Addition; thence east along the north line of said Lot 66, and continuing east along the north lines of Lots 67, 68 and 69, in said Addition, to the northeast corner of said Lot 69; thence north, along the west line of said Fairview Avenue, to the place of beginning,

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be

transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations ~~(and the City Plan Commission for recommendation)~~ and Public Hearing ~~to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on~~ _____, the _____ day of _____, 197_____, at _____ ~~o'clock P.M., E.S.T.~~

Date: 6-26-73.

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~Lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
	9,	0,	_____,	_____ to-wit:
BURNS	✓			
HINGA	✓			
KRAUS	✓			
MOSES	✓			
NUCKOLS	✓			
SCHMIDT, D.	✓			
SCHMIDT, V.	✓			
STIER	✓			
TALARICO	✓			

DATE: 7/24/73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)~~ (General) ~~(Annexation) (Special) (Appropriation)~~ Ordinance (Resolution) No. R-16-73 on the ~~o~~ 24th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 9:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock P. M., E.S.T.

Ivan A. Schmidt
MAYOR

Hold
7/24/73

Bill No. G-73-06-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance Amending General Ordinance No. G-97 by authorizing the vacation of a street, petitioned by propertyowners

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

John Nuckols - Chairman

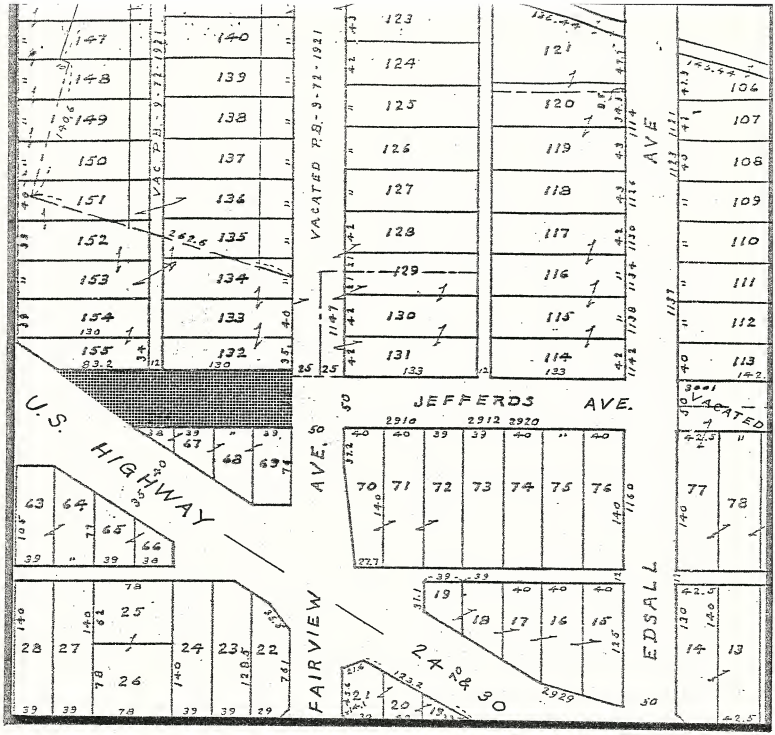
Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

DATE 7/24/73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



STREET TO BE VACATED

N

DATE: 6-4-73

THE CITY OF FORT WAYNE

office of city plan commission

June 21, 1973

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

Beginning on the west line of Fairview Avenue, in said City, at the southeast corner of Lot # 132 in said Addition; thence west along the south line of said Lot # 132, and continuing west along the south line of the vacated alley between Lot 132 and Lot 155 in said addition, and further continuing west along the south line of said Lot 155 to the northeasterly right-of-way line of the public highway known as U. S. # 24 and # 30; thence southeasterly along said right-of-way line to the north line of Lot 66 in said Addition; thence east along the north line of said Lot 66, and continuing east along the north lines of Lots 67, 68 and 69, in said Addition, to the northeast corner of said Lot 69; thence north, along the west line of said Fairview Avenue, to the place of beginning.

which was approved by the City Plan Commission at its regular meeting held June 18, 1973.

Respectfully submitted,

CITY PLAN COMMISSION

Gretchen Wiegel

Gretchen Wiegel
Secretary

Certified and signed this
21st day of June, 1973.

RESOLUTION

WHEREAS, Maumee Valley Corporation has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street located in the corporate limits of the City of Fort Wayne, Indiana, described as follows, to-wit:

> That portion of Jefferds Avenue, in Lincoln Highway Park Addition to the City of Fort Wayne, Indiana, beginning on the west line of Fairview Avenue, in said City, at the southeast corner of Lot 132 in said Addition; thence west along the south line of said Lot 132, and continuing west along the south line of the vacated alley between Lot 132 and Lot 155 in said Addition, and further continuing west along the south line of said Lot 155 to the northeasterly right-of-way line of the public highway known as U.S. #24 and #30; thence southeasterly along said right-of-way line to the north line of Lot 66 in said Addition; thence east along the north line of said Lot 66, and continuing east along the north lines of Lots 67, 68 and 69, in said Addition, to the northeast corner of said Lot 69; thence north, along the west line of said Fairview Avenue, to the place of beginning,

in accordance with the terms of Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, Section 53-734, 53-744 and 53-765); and

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on the 18th day of June, 1973, at 7:30 o'clock P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said above described public street;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana, and

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the Board of Public Works for their action thereon.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Alan Grinsfelder, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and complete copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on the 18th day of June, 1973, and as the same appears of record in the official records of said Plan Commission.

Dated this 18th day of June, 1973.

Alan Grinsfelder
President Fort Wayne City Plan Commission

City Plan Commission

Approved

Board of Public Works

Approved

PETITION FOR VACATION OF STREET

Maumee Valley Corporation, an Indiana Corporation, hereby respectfully petitions the Plan Commission of the City of Fort Wayne, Indiana, and the Common Council of the City of Fort Wayne, Indiana to vacate the following street located within the corporate limits of the City of Fort Wayne, Indiana

> Beginning on the west line of Fairview Avenue, in said City, at the southeast corner of Lot 132 in said Addition; thence west along the south line of said Lot 132, and continuing west along the south line of the vacated alley between Lot 132 and Lot 155 in said Addition, and further continuing west along the south line of said Lot 155 to the northeasterly right-of-way line of the public highway known as U.S. #24 and #30; thence southeasterly along said right-of-way line to the north line of Lot 66 in said Addition; thence east along the north line of said Lot 66, and continuing east along the north lines of Lots 67, 68 and 69, in said Addition, to the northeast corner of said Lot 69; thence north, along the west line of said Fairview Avenue, to the place of beginning;

In support of said petition, the petitioners represent the following:

1. That it is a Corporation, duly organized and existing under the laws of the State of Indiana;

2. That it is the owner of all of the real estate abutting upon that portion of Jefferds Avenue, in Lincoln Highway Park Addition to the City of Fort Wayne, Indiana;

3. That said Jefferds Avenue was originally platted as a Street, but that the portion thereof above-described is not now being used as a Street and has not value as a Street, either to this petitioner or to the public;

4. That there are no persons or corporations, other than this petitioner, owning real estate abutting upon the tract above described; that this petitioner and all other persons or corporations owning property in the neighborhood thereof have proper means of ingress to and egress from their respective properties, both for their private uses and for the uses of the Citizens of the City of Fort Wayne, Indiana;

5. That said U.S. Highway above-referred to, as constructed, used and maintained, does not allow or permit ingress thereto or egress therefrom, for highway purposes, from or to the above-described portion of Jefferds Avenue;

6. That your petitioner believes that the vacation of said described portion of Jefferds Avenue will be of public and private benefit and that the same should be vacated;

7. That your petitioner filed this petition pursuant to the authority granted under Indiana Statutes annotated § 53-734, 53-744, and 53-765 (Burns 1964 Repl.), in order to complete the vacation of said portions of said street as above-described;

WHEREFORE, your petitioner prays the portion of the street described above be vacated according to the provisions of Indiana law pertaining thereto and that the master plan be amended to effect and designate said vacation of said portion of said street.

Dated this 15th day of June, 1973

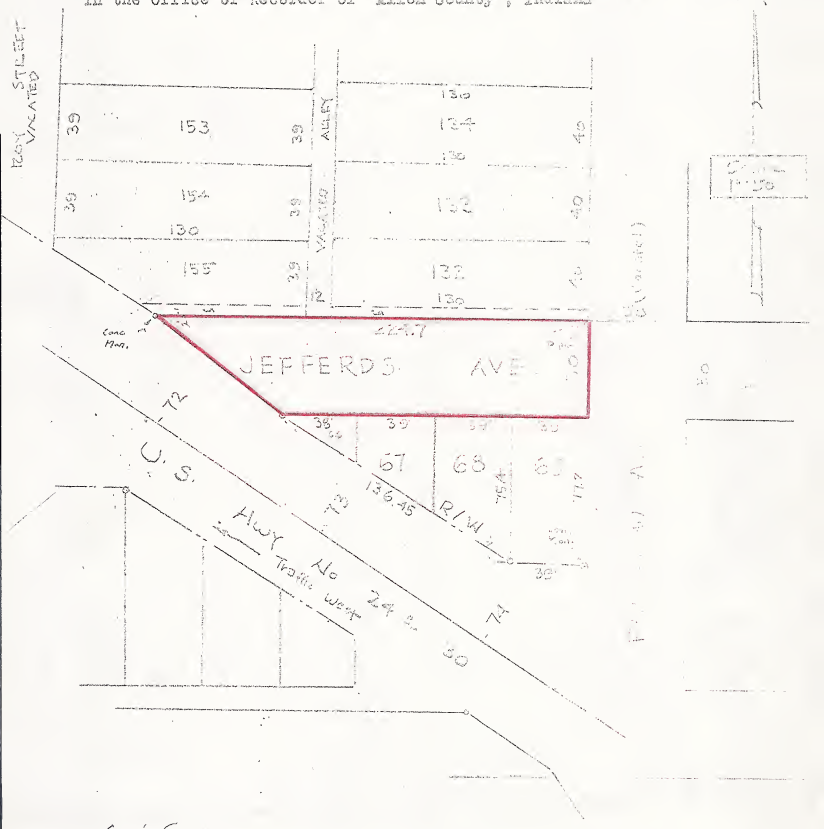
~~Attorney~~ for Petitioner
EX VICE-PRES
MAUMEE VALLEY CORP.

OFFICE of
A.K.HOFER, Civil Engineer
Fort Wayne, Indiana

January 28, 1958

PLAN of VACATION:

Jefferd Avenue from the west line of Bellevue Avenue , westward to the northeasterly right-of-way line of U.S. Highway Nos. 24 and 30 ; all as recorded in the plat of Lincoln Highway Park Addition to the City of Fort Wayne , in Plat Book 7-B , p. 121 , in the Office of Recorder of Allen County , Indiana





Book 68 Page 310

DEC 21 1956

WARRANTY DEED

Walter E. Dumm
AUDITOR OF ALLEN COUNTY

1145 Fairview Ave.
other Valley

THIS INDENTURE WITNESSETH, that MAUMEE VALLEY FARM STORE, INC., a Corporation organized and existing under the laws of the State of Indiana, of Allen County, State of Indiana, conveys and warrants to MAUMEE VALLEY CORPORATION, a Corporation organized and existing under the laws of the State of Indiana, of Allen County, Indiana, for and in consideration of the sum of Eight Thousand Five Hundred ($8,500.00) Dollars, the receipt whereof is hereby acknowledged, the following described real estate in Allen County, State of Indiana, to-wit:

Lots 65, 66, 67, 68 and 69; also the south five feet of Lot 132, the south five feet of Lot 155, and the south five feet of the vacated alley lying between said Lots 132 and 155; all in Lincoln Highway Park Addition to the City of Fort Wayne, according to the recorded plat thereof;

Subject to the easement held by the State of Indiana for highway purposes across portions of the above described real estate.

1956 DEC 21 PM 2 47

Walter E. Dumm
ALLEN COUNTY RECORDER

IN WITNESS WHEREOF, the said MAUMEE VALLEY FARM STORE, INC., pursuant to authority of its Board of Directors, has caused the execution hereof by its duly authorized Officers, and the affixing hereto of its Corporate Seal, this 28th day of November, 1956.

Indiana Gross Income Tax on Sale of Real Estate
Paid by Grantor
Date Paid 12/21/56 Grantor
Amount Paid $ 17.00
Treasurer's Receipt # 424978
State of Indiana)
County of Allen) SS

MAUMEE VALLEY FARM STORE, INC.

By Ersel Walley
(Ersel Walley) its President
and John E. Walley
(John E. Walley) its Secretary-Treasurer

Before me, the undersigned, a Notary Public in and for said County and State, on this 28th day of November, 1956, personally came Ersel Walley and John E. Walley, President and Secretary-Treasurer, respectively, of Maumee Valley Farm Store, Inc., who, as such Officers, acknowledged the execution of the foregoing deed, for and on behalf of said Corporation, as the free and voluntary act and deed of said Corporation, and as the free and voluntary act and deed of such Officers, for the uses and purposes in the foregoing deed mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal.

My Commission Expires 11/24/58

Joseph E. Zolla (Notary Public)

The foregoing instrument was prepared by Maurice Baumgartner, Attorney at Law.

John Walley
1145 Fairview
Fort Wayne

2

Book 489 Page 16
23538

WARRANTY DEED

THIS INDENTURE WITNESSETH, That Weikel Construction Company, Inc., a corporation of Allen County, Indiana, conveys and warrants to Maumee Valley Farm Store, Inc., a corporation of Allen County, Indiana, for and in consideration of thirty five hundred dollars ($3,500.00), the receipt whereof is hereby acknowledged, the following described real estate in Allen County, Indiana, to-wit:

RECORDED
ALLEN CO. IND.
1954 DEC 1 AM 9:07

Lots 65, 66, 67, 68 and 69, in Lincoln Highway Park Addition to the City of Fort Wayne, according to the recorded plat of said Addition;

Subject to the easement held by the State of Indiana for highway purposes across portions of said lots; also subject to the taxes against said premises for the year 1954, payable in the year 1955.

IN WITNESS WHEREOF, the said Weikel Construction Company, Inc., pursuant to authority of its Board of Directors, has caused the execution hereof by its duly authorized officers, and the affixing hereto of its corporate seal, this 30 day of November, 1954.

WEIKEL CONSTRUCTION COMPANY, INC.

By Daniel I. Weikel
its President (Daniel I. Weikel)

and

M. R. Miller
its Secretary (M. R. Miller)

State of Indiana)
County of Allen) SS

Before me, the undersigned, a Notary Public within and for said County and State, on this 30 day of November, 1954, personally came Daniel I. Weikel and M. R. Miller, President and Secretary, respectively, of Weikel Construction Company, Inc., who, as such officers, acknowledged the execution of the foregoing deed, for and on behalf of said Corporation, as the free and voluntary act and deed of said Corporation, and as the free and voluntary act and deed of such officers, for the uses and purposes in the foregoing deed mentioned.

In witness whereof, I have hereunto subscribed my name and affixed my notarial seal.

My Commission Expires 12/1/55.

LaDonna M. Ayers (Notary Public)
(LaDonna M. Ayers)

Real Estate Transfer
DEC 1 1954
Auditor, Allen County, Indiana

200

17218

Warranty Deed

Book 504 Page 225

This Indenture Witnesseth, That Fort Wayne Union Stock Yards Company, Inc., a Corporation organized and existing under the laws of the State of Indiana,

of Allen County, in the State of Indiana

Convey and Warrant to Maumee Valley Farm Store, Inc., a Corporation organized and existing under the laws of the State of Indiana,

of Allen County, in the State of Indiana, for and in consideration

of One and No/100---------- Dollars,
and other valuable considerations,
the receipt whereof is hereby acknowledged, the following described *Real Estate* in Allen County in the State of Indiana, to-wit:

The south five feet of Lot 132, the south five feet of Lot 155, and the south five feet of the vacated alley lying between said lots 132 and 155, in Lincoln Highway Park Addition to the City of Fort Wayne, according to the recorded plat thereof;

Subject to the right of way of the State Highway crossing a portion of the above described premises;



DULY ENTERED FOR TAXATION
NOV 22 1955
Auditor of Allen Co.

In Witness Whereof, The said Fort Wayne Union Stock Yards Company, Inc., pursuant to authority of its Board of Directors, has caused the execution hereof by its duly authorized officers, and the affixing hereto of its corporate seal,

this 17th day of November, 1955.

FORT WAYNE UNION STOCK YARDS COMPANY, INC.

BY O. R. Whiting (Seal)
its PRESIDENT (P.R.Whiting)

and A. J. Roth (Seal)
its SECRETARY-TREASURER (A.J.Roth)

STATE OF INDIANA, Allen COUNTY, SS:

Before me, the undersigned, a Notary Public, in and for said County and State, this 17th

day of November, A.D., 19 55, ~~personally appeared the within named~~ came Fort Wayne Union Stock Yards Company, Inc., of Allen County, Indiana, by P. R. Whiting, its President, and A. J. Roth, its Secretary-Treasurer, who, ~~the within named grantor~~ officers, respectively, for and on behalf of said Corporation, acknowledged the execution of the foregoing deed, and the affixing thereto of the Corporate Seal of said Corporation, for the uses and purposes therein mentioned.

~~Grantor~~ in the above conveyance, and acknowledged ~~the execution of the same to be~~ ~~voluntary act and deed, for the uses and purposes herein mentioned~~

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

My Commission expires Feb 7-1957 Zenno H. Brandom Notary Public.
(Zenno H. Brandom)

STATE OF INDIANA, COUNTY, SS:

Before me, the undersigned, a Notary Public, in and for said County and State, this

day of , A.D., 19 , personally appeared the within named

Grantor in the above conveyance, and acknowledged

the execution of the same to be voluntary act and deed, for the uses and purposes herein mentioned

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

My Commission expires Notary Public.

WARRANTY DEED

FROM

Fort Wayne Union Stock Yards Company, Inc.

TO

Maumee Valley Farm Shows, Inc.

Received for record this

day of , 19

at o'clock M., and

Recorded in Book No. page

Recorder County.

Duly entered for taxation this

day of , 19

Auditor's fee $

Auditor County.

KEEPER PRINTING COMPANY, FORT WAYNE, IND.

Form No. 101

P. O. BOX 1108
MEYER ROAD
PHONE A-7279

FORT WAYNE, INDIANA

I, being President of THE WEIKEL CONSTRUCTION CO., INC., do hereby certify that a certain resolution was unanimously adopted at a separate meeting of the Board of Directors, which meeting was duly called, attended by a quorum of members, and held on November 10, 1947, said resolution reading in part as follows:

> "RESOLVED, That the President or the Vice-President of this Corporation, The Weikel Construction Co., Inc. be and each is hereby authorized and empowered to sign, execute and/or acknowledge the execution of deeds, conveyances, mortgages, leases, bonds, contracts and other obligations and written instruments for and in behalf of this Corporation, with or without the signature or attestation of the Secretary of this Corporation, and to sign, execute and assign any and all checks, drafts, notes, money orders."

which resolution was thereupon spread upon the minutes of said meeting, is in full force and effect, and wholly unrevoked.

IN WITNESS WHEREOF, I have hereunto affixed my signature, and the seal of said Company, hereto, on this 30th day of November, 1954.

D. I. WEIKEL
President

Number assigned by Dave Keller's Office: # 3164

Admn. Appr. ✓

DIGEST SHEET

D-73-06-26

TITLE OF ORDINANCE Ordinance for Street vacation

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE

Preparation of a ordinance for street vacation, petitioned by property owners, as follows:

Beginning on the west line of Fairview Avenue, in said City, at the southeast corner of Lot 132 in said Addition: thence west along the south line of said Lot 132, and continuing west along the south line of the vacated alley between Lot 132 and Lot 155 in said addition, and further continuing west along the south line of said Lot 155 to the northeasterly right-of-way line of the public highway known as U. S. # 24 and # 30, thence southeasterly along said right-of-way line to the north line of Lot 66 in said Addition; thence east along the north line of said Lot 66, and continuing east along the north lines of Lots 67, 68, and 69, in said Addition, to the northeast corner of said Lot 69; thence north, along the west line of said Fairview Avenue, to the place of beginning.

EFFECT OF PASSAGE Jefferds Ave. will then be divided between the lots on the north side and the so lots on the south side.

EFFECT OF NON-PASSAGE Jefferds Avenue would remain open and as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) RBG — WCM

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

	BILL NO. D-73-06-26
	ORDINANCE NO. D-16-73
X	REGULAR SESSION 6-26-73
	SPECIAL SESSION
	APPROVED AS TO FORM AND LEGALITY Keller
	BILL WRITTEN BY [illegible]
	DATE INTRODUCED 6-26-73
	REFERRED TO SAID STANDING COMMITTEE Nuckols Regulations
	REFERRED TO CITY PLAN
	LEGAL PUBLIC HEARING
X	LEGAL PUBLICATION
	JOINT HEARING
	DEPARTMENT HEARING
	HOLD FILE
	PASS July 24, 1973
	DO NOT PASS
	WITHDRAWN
	SUSPENSION OF RULES
	PRIOR APPROVAL
	ORDINANCE TAKEN OUT OF OFFICE
	OTHER INSTRUCTIONS REGARDING ORDINANCE
	CORRECTIONS MADE TO ORDINANCE
	PEOPLE SPEAKING FOR ORDINANCE
	PEOPLE SPEAKING AGAINST ORDINANCE

CONTENTS OF ORDINANCE

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	City Plan to Common Council COMMUNICATIONS FROM
	Warrant, Deed
X	~~ZONING~~ MAPS
	Resolution ABSTRACTS
	Petition for vacation of street TITLES
	PRIOR APPROVAL LETTER
	Depas Book.

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS:

CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

July 27, 1973

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of July 30, and August 6, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, Indiana, Approving a project of Authority of the City of Fort Wayne to purchase single family homes for rehabilitation, rental and sale. Bill No. G-73-07-04.

RE: Legal Notice for Common Council of Fort Wayne, Indiana, amending General Ordinance No. G-97 by authorizing the vacation of a street. Bill No. G-73-06-26.

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 2

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 16, 19 73

Title CLERK

Notice is hereby given that on the 24th day of July, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-73-06-26 G-16-73 General Ordinance, to wit:

BILL NO. G-73-06-26

GENERAL ORDINANCE NO. G-16-73

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a street, petitioned by property owners.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street by Maumee Valley Corporation having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on June 18, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744); the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Jefferds Avenue, in Lincoln Highway Park Addition to the City of Fort Wayne, Indiana, beginning on the west line of Fairview Avenue, in said City, at the southeast corner of Lot 132 in said Addition; thence west along the south line of said Lot 132, and continuing west along the south line of the vacated alley between Lot 132 and Lot 135 in said Addition, and further continuing west along the south line of said Lot 135 to the northeasterly right-of-way line of the public highway known as U.S. No. 24 and No. 30; thence southeasterly along said right-of-way line to the north line of Lot 66 in said Addition; thence east along the north line of said Lot 66, and continuing east along the north lines of Lots 67, 68 and 69, in said Addition, to the northeast corner of said Lot 69; thence north, along the west line of said Fairview Avenue, to the place of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

JOHN NUCKOLS
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
Date: 7-24-73

CHARLES W. WESTERMAN
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-16-73 on the 24th day of July, 1973.
ATTEST: (SEAL)
CHARLES W. WESTERMAN
City Clerk
WINFIELD C. MOSES JR.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.
CHARLES W. WESTERMAN
City Clerk

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.
IVAN A. LEBAMOFF
Mayor

I, Charles J. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-16-73 passed by the Common Council on the 24th day of July, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of July, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of July, 1973.
CHARLES W. WESTERMAN
City Clerk

7-30; 8-6.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
County ALLEN }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD Thomas Elliott, who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city } of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

July 30, 1973
August 6, 1973

Subscribed and sworn to before me this 16th day of August, 19 73

Notary Public

My commission expires October 2, 1975

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines		
Head number of lines		--
Body number of lines		113
Tail number of lines		2
Total number of lines in notice		115

COMPUTION OF CHARGES

115 lines, columns wide equals equivalent lines at .288¢ cents per line		$ 33.12
Additional charge for notices containing rule or tabular work (50 per cent of above amount)		
Charge for extra proofs of publication (50 cents for each proof in excess of two)	(2)	1.00
TOTAL AMOUNT OF CLAIM		$ 34.12

DATA FOR COMPUTING COST

Width of single column 11 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Thomas Elliott

Date August 16, 19 73 — Title CLERK



PUBLISHER'S AFFIDAVIT

State of Indiana, ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD Thomas Elliott, who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

July 30, 1973

August 6, 1973

Thomas Elliott

Subscribed and sworn to before me this 16th day of August, 19 73

Notary Public

My commission expires October 7, 1975

credits, and that no part of the same has been paid.

A. M. Hostman

Date August 16, 1973 Title Clerk

Notice is hereby given that on the 24th day of July, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-73-06-26 G-16-73 General Ordinance, to wit:

BILL NO. G-73-06-26

GENERAL ORDINANCE NO. G-16-73

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a street, petitioned by property owners.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street by Maurice Valley Corporation having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on June 18, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 388, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Jefferds Avenue, in Lincoln Highway Park Addition to the City of Fort Wayne, Indiana, beginning on the west line of Fairview Avenue, in said City, at the southeast corner of Lot 132 in said Addition; thence west along the south line of said Lot 132, and continuing west along the south line of the vacated alley between Lot 132 and Lot 155 in said Addition, and further continuing west along the south line of said Lot 155 to the northeasterly right-of-way line of the public highway known as U.S. No. 24 and No. 30; thence southeasterly along said right-of-way line to the north line of Lot 66 in said Addition; thence east along the north line of said Lot 66, and continuing east along the north lines of Lots 67, 68 and 69, in said Addition, to the northeast corner of said Lot 69; thence north, along the west line of said Fairview Avenue, to the place of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

JOHN NUCKOLS
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
Date: 7-24-73

CHARLES W. WESTERMAN
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-16-73 on the 24th day of July, 1973.
ATTEST: (SEAL)
CHARLES W. WESTERMAN
City Clerk
WINFIELD C. MOSES JR.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.
CHARLES W. WESTERMAN
City Clerk

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.
IVAN A. LEBAMOFF
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-16-73 passed by the Common Council on the 24th day of July, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of July, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of July, 1973.
CHARLES W. WESTERMAN
City Clerk

7—30; 8—6.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S., the dates of publication being as follows:

July 30, 1973
August 6, 1973

A. M. Hostman

Subscribed and sworn to before me this 16th day of August 1973

Grace C. Klemke
Notary Public

My commission expires October 8, 1974

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev 1967)

Common Council-City of Ft. Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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COMPUTION OF CHARGES

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)		
Charge for extra proofs of publication (50 cents for each proof in excess of two)	(2)	1.00
TOTAL AMOUNT OF CLAIM		$ 34.12

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date August 16, , 19 73

Title Clerk

Notice is hereby given that, in accordance with the provisions of law, the attached is a true and complete copy of General Ordinance No. G-16-73 passed by the Common Council on the 26th day of July, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of July, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of July, 1973.

CHARLES W. WESTERMAN
City Clerk

7—30; 8—6.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city } of FORT WAYNE, INDIANA
~~town~~ }
in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

July 30, 1973
August 6, 1973

A. M. Hostman

Subscribed and sworn to before me this 16th day of August, 1973

Elmer E. Roemke
Notary Public

My commission expires October 4, 1974